

REMARKS

In the Office Action, claims 1-20 were rejected. By the present Amendment and Response, claims 1-20 have been amended. Upon entry of the amendments, claims 1-20 will remain pending in the present patent application. Reconsideration of the rejections and allowance of all pending claims are respectfully requested.

Rejection Under 35 U.S.C. § 112

Claims 4, 7-8, and 17-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner rejected the limitation “similar look and feel” recited in claim 4 as being indefinite.

By this response, claim 4 has been cancelled and claims 7, 8, and 17 have been amended in light of the Examiner’s comments. However, claim 1 has been amended to include the recitation “the first and second websites having the same *look and feel*.” In addition, claim 17 has been amended to include the recitation “desired look and feel.” It is unclear from the rejection provided by the Examiner in regards to claim 4 whether the Examiner considers the recitation “look and feel” as being indefinite or only the recitation “similar look and feel.” However, it is clear that the term “look and feel” is not indefinite. For example, one on-line encyclopedia (Wikipedia) defines “look and feel” as follows: “Look and feel refers to design aspects such as colours, layouts, font sizes, and the use of buttons, boxes, etc. in software which has a graphical user interface and in websites.” See http://en.wikipedia.org/wiki/Look_and_feel. The on-line glossary “usability first” defines “look and feel” as:

The appearance (look) and interactive style (feel) of software whose uniqueness to a particular platform or application defines the aesthetics and values of that application and how users subjectively respond to it. The look-and-feel is considered the front end of the software, whereas the abstract functionality is the back end. The look-and-feel is often considered to incorporate the

copyrightable aspects of the user interface—those aspects not entirely determined by the functional requirements.

See usabilityfirst, http://usabilityfirst.com/glossary/term_603.txt. An on-line dictionary defines “look and feel” as:

The appearance and function of a program’s user interface. The term is most often applied to graphical user interfaces (GUI) but might also be used by extension for a textual command language used to control a program.

Look and feel includes such things as the icons used to represent certain functions such as opening and closing files, directories and application programs and changing the size and position of windows; conventions for the meaning of different buttons on a mouse and keys on the keyboard; and the appearance and operation of menus.

See Free On-Line Dictionary of Computing,
<http://wombat.doc.ic.ac.uk/foldoc/foldoc.cgi?look+and+feel>.

These examples of meanings given to the term “look and feel” have been provided as evidence that the recitation is not indefinite, not to define the term. In addition, numerous patents have issued with the term “look and feel” recited in the claims. For example, U.S. Patent No. 6,496,202 recites the following, in pertinent part:

computer readable program code configured to cause a computer to obtain a model having data for an application and definitions of one or more structural components for generating a GUI for said application, wherein said GUI comprises said application's *look and feel* to a user (emphasis added).

For all of these reasons, the term “look and feel” is not indefinite. Withdrawal of the rejection is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 1-4, 7-13, and 15-20 were rejected under 35 U.S.C. § 102(a) as being anticipated by Barnes et al. (hereinafter "Barnes"), U.S. Patent No. 5,970,475. As noted above, claim 4 has been cancelled and claims 1, 7, 8, and 17-20 have been amended.

Claims 1-3, 7-13, and 15-20 are not anticipated because the Barnes reference does not disclose all of the recited features of the claims. Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985).

Independent Claims 1 and 17

In regard to amended independent claim 1, the Barnes reference does not disclose the following recited features of amended independent claim 1:

a data engine operable to provide a link between the first website hosted by the first electronic information system and a second website hosted by a second electronic information system...*the first and second websites having the same look and feel.* (Emphasis added.)

Similarly, the Barnes reference does not disclose "providing a first computer system with programming to enable the first computer system to host *a first website having a desired look and feel*" and "enabling a second company to host *a second website having the desired look and feel of the first website,*" as recited in amended independent claim 17.

The Barnes reference does not disclose anything approaching the claimed features recited above. The Barnes reference discloses an electronic commerce system 10 to enable employees of a buyer to order goods and/or services from a supplier. *See Barnes*, col. 6, lines 13-17. A user 24, usually an employee of the buyer organization 12, uses one of a plurality of terminals 26 to access a customer server 34 via an Intranet server 30. *See*

Barnes, col. 6, lines 6-9. From there, the customer server 34 is connected to a supplier's catalog server 42 via the Internet to enable the user 24 to access the supplier's catalog server 42. *See* Barnes, col. 6, lines 54-58. The Barnes reference discloses that the supplier's catalog server 42 uses active server pages 70 to dynamically create HTML catalog pages using data from its resident SQL server database 98. *See* Barnes, col. 19, lines 54-56. However, the Barnes reference also discloses that the customer server 34 uses off-the-shelf Java enabled browsers 111, rather than the active server pages 70 used to dynamically create HTML catalog pages in the supplier's catalog server 42. *See* Barnes, col. 13, lines 45-48 (emphasis added). The Java applets are used as visual enhancements for the browser running the administrative interface to the customer server 34. *See* Barnes, col. 13, lines 54-56. Furthermore, the applets are downloaded into the user's browser only over the customer Intranet 28 and only from a customer server 34; at no time are Java applets ever loaded from the open Internet 143. *See* Barnes, col. 13, lines 59-62 (emphasis added). Thus, the applets are not available when the user 24 is linked to the catalog server 42. Therefore, the Java enabled browser provided to a user 24 when the user is linked to the customer server 34 is different in both "look and feel" to the HTML catalog pages provided to the user 24 when the user 24 is linked to the supplier's catalog server 42. The Barnes reference simply does not, and cannot, disclose that the customer's Intranet server 34 provides a web site having the "same look and feel" or the "desired look and feel" of the supplier's catalog server 42, as recited in amended independent claims 1 and 17, respectively. Therefore, the Barnes reference does not disclose all of the recited features of amended independent claims 1 and 17.

Accordingly, claims amended independent claim 1 and 17 are not anticipated by the Barnes reference. Claims 2-4 and 18-20 depend from amended independent claims 1 and 17, respectively. Thus, claims 2-4 and 18-20 also are not anticipated by the Barnes reference.

Independent Claim 12

In addition, the Barnes reference does not disclose all of the recited features of independent claim 12, such as: “an interactive *Internet website* that enables *only the employees of the identified company* to access and interact with the electronic information system.” Therefore, the Barnes reference does not anticipate independent claim 12.

A website or web site (often shortened to a site) is a collection of web pages, that is, documents accessible via the World Wide Web on the Internet. *See* Wikipedia, http://en.wikipedia.org/wiki/Web_site. The World Wide Web is a system of Internet servers that support specially formatted documents. *See* Webopedia, http://www.webopedia.com/TERM/w/World_Wide_Web.html. In addition, the Internet is a global network connecting millions of computers. *See* Webopedia, <http://www.webopedia.com/TERM/I/Internet.html>. However, not all Internet servers are part of the World Wide Web. *See* Webopedia, http://www.webopedia.com/TERM/w/World_Wide_Web.html.

The Barnes reference discloses that the supplier's catalog server 42 is connected to the customer server 34 via the Internet. However, Barnes does not disclose that the customer's employees 24 access the customer server 34 via the Internet. Instead, as noted above, the customer's employees access the customer server 34 via an Intranet, not the Internet. An Intranet is a network belonging to an organization, usually a corporation, that is accessible only by the organization's members, employees, or others with authorization. *See* Webopedia, <http://www.webopedia.com/TERM/i/intranet.html>. The customer server 34 of Barnes only communicates with other servers via the Internet, not with the employees of the customer 24. *See* Barnes, col. 14, lines 5-8. Furthermore, the catalog server 42 of Barnes does not communicate only with the customer's employees via the Internet. *See* Barnes, Figs. 1 and 2.

In the Office Action, the Examiner stated that that the Barnes reference anticipates: "an interactive Internet website that enables only employees of the identified company to access and interact with the electronic information system at col. 6, lines 43-65." However, the cited passage does not support the Examiner's assertion because the cited passage refers to the Intranet server 30 of Barnes, not an Internet server. Thus, the Barnes reference does not disclose "an interactive Internet website that enables only the employees of the identified company to access and interact with the electronic information system," as recited in claim 12. Therefore, the Barnes reference does not disclose all of the recited features of claim 12.

Accordingly, independent claim 12 is not anticipated by the Barnes reference. Claims 13, 15, and 16 depend from independent claim 12. Therefore, claims 13, 15, and 16 also are not anticipated by the Barnes reference.

Rejection Under 35 U.S.C. § 103


Claims 5, 6, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Barnes in view of Lin et al. (hereinafter "Lin"), U.S. Patent No. 5,949,415. Claims 5 and 6 depend from amended independent claim 1 and claim 14 depends from independent claim 12. For the reasons provided above, the Barnes reference does not disclose or suggest all of the recited features of amended independent claims 1 and 12. Furthermore, the Lin reference does not disclose or suggest the claimed subject matter that is missing from the Barnes reference. Therefore, the cited references do not disclose all of the recited features of claims 1 and 12. Thus, the cited references do not disclose or suggest all of the recited features of claims 5, 6, and 14. Claims 5, 6, and 14 therefore are patentable over the cited references.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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